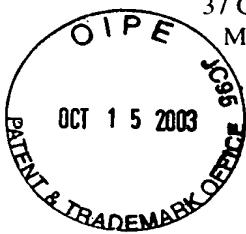


**"EXPRESS MAIL CERTIFICATE"**

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**DATE OF DEPOSIT 10/15/03**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to:  
Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.



**NAME OF PERSON MAILING PAPER OR FEE**

STEVEN OLSZEWSKI

(TYPE OR PRINT)

**SIGNATURE** Steven Olszewski

Applicant : Applebaum, et al.  
Appl. No. : 10/208,082  
Filed : 29 July 2002  
Title : Methods of Use of Fluoroquinolone Compounds Against Ciprofloxacin-Resistant and Ciprofloxacin-Sensitive Pathogenic Bacteria  
Grp./A.U. : 1625  
Examiner : D. Margaret M. Seaman  
  
Docket No. : P50959RC1

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF APPLICATION UNDER 37 CFR 1.137(b)**  
**(UNINTENTIONALLY ABANDONED APPLICATION)**

Dear Sir:

Pursuant to 37 CFR 1.137(b), Applicants hereby petition to revive the above captioned application.

**Background**

A non-final Office Action was mailed in the above-captioned application on February 11, 2003, setting a three (3) month period for response ending May 11, 2003, extendible under 37 CFR 1.136(a) to August 11, 2003. Applicants inadvertently failed to file a response to the Office Action by August 11, 2003. Applicants discovered this failure on or about September 23, 2003. A Notice of Abandonment was received October 2, 2003.

**Reply required by 37 CFR 1.137(b)(1) and 1.137(c)**

The reply to the outstanding Office action or notice, in the form of a continuing application, is enclosed herewith.

Petition fee required by 37 CFR 1.137(b)(2)

In accordance with 37 CFR 1.137(b)(2) and 1.17(m), please charge **1,330.00** to **Deposit Account No. 19-2570**. Authorization is hereby given to charge any other fees required by this paper to the same Deposit Account. A duplicate of this Petition for Revival is attached to facilitate charging the petition fee and any other requisite fees.

Statement required by 37 CFR 1.137(b)(3)

The entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition was unintentional.

Terminal disclaimer pursuant to 37 CFR 1.137(b)(4)

The present application is not a design application nor a utility or plant application filed before June 8, 1995. Therefore, pursuant to 37 CFR 1.137(d), no terminal disclaimer under 37 CFR 1.137(b)(4) is required.

The undersigned for Applicants respectfully submits that this Petition for Revival, and the accompanying continuing application, fulfills all the requirements of a grantable petition under 37 CFR 1.137(b). Favorable action on this Petition, and revival of the above-captioned application is respectfully requested.

Respectfully submitted,



Loretta J. Henderson  
Attorney for Applicants  
Registration No. 37,347

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